

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48961 of 2018**

Arising Out of PS.Case No. -49 Year- 2018 Thana -SALKHUA District- SAHARSA

- =====
1. Pawan Yadav @ Brahmdeo Yadav, son of late Dukha Yadav,
  2. Naresh Yadav, son of Nathan Yadav, both resident of Village- Situaaha  
P.S. Salkhua, District- Saharsa.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Smt. Gulnar Begam, APP

For the Informant : Mr. Arun Kumar Sinha, Advocate

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2/ 31-08-2018

Heard learned counsel for the petitioners and learned

APP for the State as well as counsel for the informant.

Petitioners apprehend their arrest in **Salkhua P.S.**

**Case No.49 of 2018** instituted for the offence under Section(s)

341, 307, 379, 504/34 Indian Penal Code and Section 27 of the

Arms Act.

Counsel for the petitioner submits that there is specific allegation of causing firearm injury to wife of informant against main accused Pandav @ Nawal Kishore Yadav. There is general and omnibus allegation against the petitioner No.1 that he gave order. There is no any allegation of specific overt act against petitioner No.2.

In the facts and circumstances of the case, prayer of the



petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Salkhua P.S. Case No.49 of 2018**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate-IIInd, Saharsa**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

JA/-  
Rohit Kr.

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